

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for
property commonly known as 1029 West State
Boulevard, Fort Wayne, Indiana 46808 (Dana
Corporation)**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, said project will create 50 full-time, permanent jobs for a total additional payroll of \$2,000,000, with the average new annual job salary being \$40,000 and

WHEREAS, the total estimated project cost is \$1,200,000; and

WHEREAS, a recommendation has been received from the Committee on Finance;
and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA:**

SECTION 1. That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2005.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of redevelopment or rehabilitation, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation.

1 **SECTION 5.** The current year approximate tax rates for taxing units within the
2 City would be:

- 3 (a) If the proposed development does not occur, the approximate current year tax
4 rates for this site would be \$9.2453/\$100.
5 (b) If the proposed development occurs and no deduction is granted, the
6 approximate current year tax rate for the site would be \$9.2453/\$100 (the
7 change would be negligible).
8 (c) If the proposed development occurs, and a deduction percentage of fifty percent
9 (50%) is assumed, the approximate current year tax rate for the site would be
10 \$9.2453/\$100 (the change would be negligible).

11 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
12 from the assessed value of the real property shall be for a period of ten years.

13 **SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be
14 reasonably expected to result from the project and are sufficient to justify the applicable
15 deductions.

16 **SECTION 8.** For real property, a deduction application must contain a performance
17 report showing the extent to which there has been compliance with the Statement of Benefits
18 form approved by the Fort Wayne Common Council at the time of filing. This report must be
19 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Department of
20 Economic Development and must be included with the deduction application. For
21 subsequent years, the performance report must be updated within sixty days after the end of
22 each year in which the deduction is applicable.

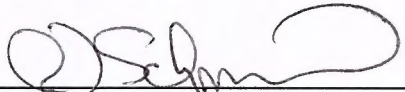
23 **SECTION 9.** The performance report must contain the following information

- 24 A. The cost and description of real property improvements.
25 B. The number of employees hired through the end of the preceding calendar year
26 as a result of the deduction.
27 C. The total salaries of the employees hired through the end of the preceding
28 calendar year as a result of the deduction.
29 D. The total number of employees employed at the facility receiving the deduction.
30 E. The total assessed value of the real property deductions.
 F. The tax savings resulting from the real property being abated.

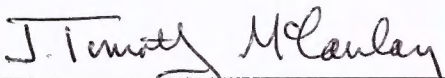
SECTION 10. That, the taxpayer is non-delinquent on any and all property tax due
to jurisdictions within Allen County, Indiana.

SECTION 11. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that
has received a deduction under section 3 or 4.5 of this chapter may be required to repay the
deduction amount as determined by the county auditor in accordance with section 12 of said
chapter if the property owner ceases operations at the facility for which the deduction was
granted and if the Common Council finds that the property owner obtained the deduction by
intentionally providing false information concerning the property owner's plans to continue
operation at the facility.

1 **SECTION 12.** That, this Resolution shall be in full force and effect from and after its
2 passage and any and all necessary approval by the Mayor.

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4 
5 _____
6 Member of Council

7
8 APPROVED AS TO FORM A LEGALITY

9 
10 _____
11 J. Timothy McCaulay, City Attorney

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C David Col. P.E., L.S. #10406
 Kerry D. Ockmeyer, L.S. #50243
 John L. Updegraff, L.S. #50404

Civil Engineers - Land Surveyors - Planners
 6044 East Stone Boulevard
 Fort Wayne, Indiana 46815-7830
 Office: 219-740-0125
 Fax: 219-740-0821

Sheet 1 of 2

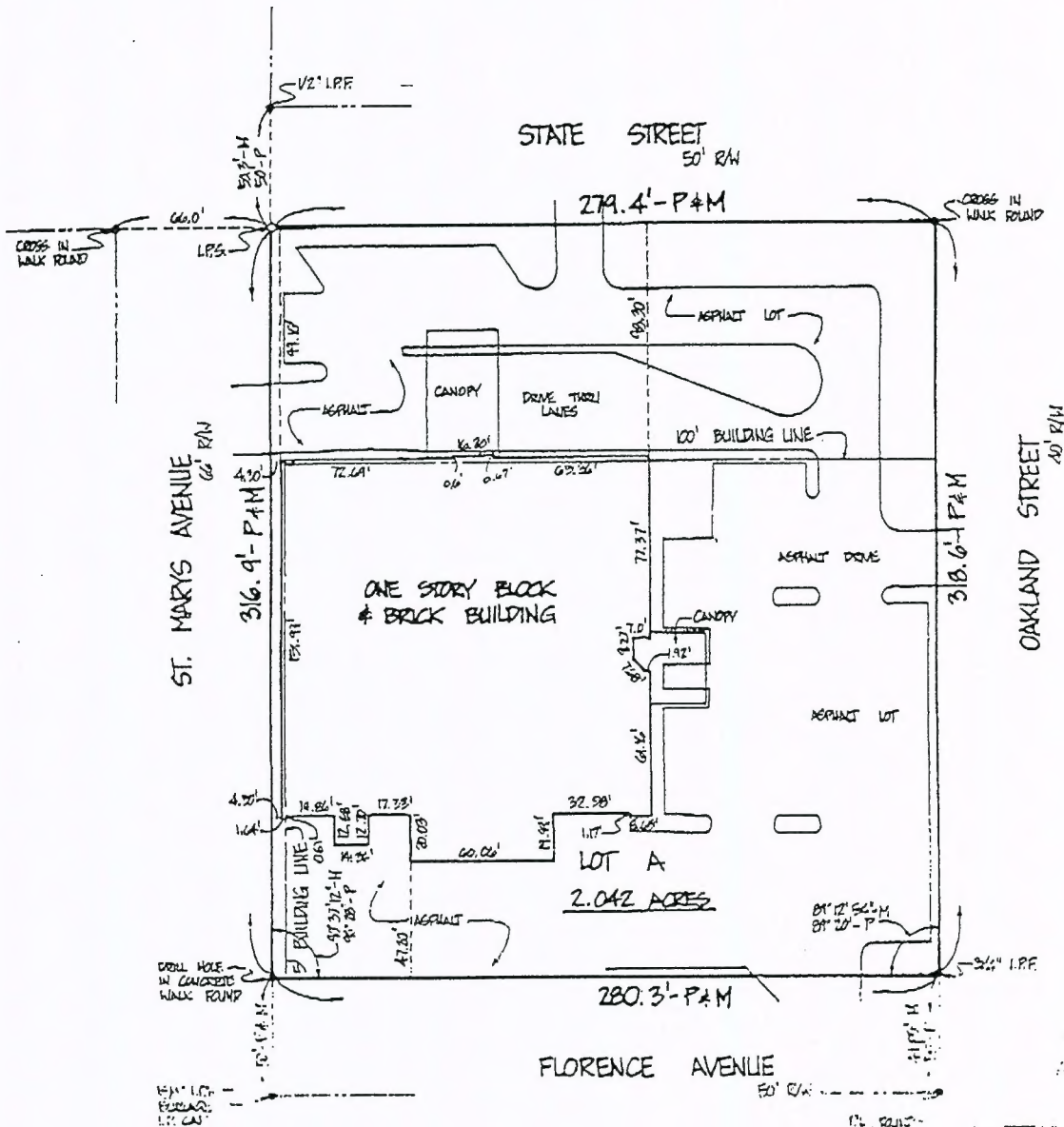
Survey No. 97337

SURVEY PLAT

This document is a re-survey of land and real estate located in WASHINGTON TOWNSHIP, ALLEN COUNTY Indiana made in accordance with the records on file in the Office of Recorder of said county.

Lot A in ROGERS MARKETS REPLAT ADDITION TO THE CITY OF FORT WAYNE, INDIANA, according to the plat thereof, recorded in Plat Record 20, Page 11, in the Office of the Recorder of Allen County, Indiana.

FLOOD PLAIN NOTE: N.F.I.P. Flood Insurance Rate Map # 18003C0260E, Panel # 250 of 475, effective February 16, 1995, shows the above described property in a Zone X (areas determined to be outside 500 year flood plain) designation, as determined by approximate scale only, no elevations taken or established.



Field work completed 7/7/97

All Rights Reserved

I.P.F. - Iron Pin Found at grade
 I.P.S. - 5/8" O. Rubber, 24" long, set at grade, with cap
 M.P. - Pipe Found
 P.K. - P.K. nail
 O - Dead
 M - Measured
 P - Platted
 Monumental found have no documented history, except as noted

I hereby certify that this survey was completed under my direct supervision and to the best of my knowledge and belief was executed according to the survey requirements set forth in SES IAC 1-12.

[Signature]

Read the first time in full and on motion by Belmont,
and duly adopted, read the second time by title and referred to the Committee on
Finance, (and the City Plan Commission for recommendation)
and Public Hearing to be held after due legal notice, at the Common Council Conference
Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday,
the 9th day of December, 1997, at 5:30
o'clock P. M., E.S.T.

DATED: 11-25-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Belmont,
and duly adopted, placed on its passage. PASSED LOST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 12-9-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL) _____ (SPECIAL) _____
(ZONING) _____ ORDINANCE _____ RESOLUTION NO. 9-85-97
on the 9th day of December, 1997

ATTEST: Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL Thomas P. Helmke
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
10th day of December, 1997
at the hour of 1:30 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day
of December, 1997, at the hour of 1:00
o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Department of Economic Development**

SYNOPSIS OF ORDINANCE: **This is to confirm the designation of an Economic Revitalization Area for Dana Corporation for real property improvements in the amount of \$1,200,000. In order to expand, Dana Corporation will rehabilitate an existing dilapidated structure that has sat vacant for years.**

EFFECT OF PASSAGE: **Passage of resolution will allow for the rehabilitation of an existing structure into a computer support and engineering facility for Dana Corporation. Facility will employ 50 persons.**

EFFECT OF NON-PASSAGE: **Potential loss of 50 employees and improvements to an existing vacant building.**

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): **No expenditures of public funds required.**

ASSIGNED TO COMMITTEE (PRESIDENT): **Don Schmidt**

BILL NO. R-97-11-09

REPORT OF THE COMMITTEE ON FINANCE

DONALD J. SCHMIDT - JOHN N. CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) confirming resolution designating
an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property
commonly known as 1029 West State Blvd. (Dana Corporation)

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Thomas J. Kaufman

Robert A. Bunker

Charles J. Lemley

John L. Henry

Rebecca Savino

James H. O'Connell

Dianne Hall

DATED: 12-9-97

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221 • FAX 219-427-1371

SANDRA E. KENNEDY, CITY CLERK

November 26, 1997

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of November 29, 1997, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bills No. R-97-11-06 & R-97-11-07
Bills No. R-97-11-08 & R-97-11-09
Economic Revitalization Areas

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-11-08 AND R-97-11-09)

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 11-25-97,
DATE
DESIGNATING PROPERTY AT 1029 West State Boulevard, Fort Wayne,
Indiana (Dana Corporation)

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED
AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER
THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND
CONFIRMED OR RESCINDED ON Tuesday, December 9, 1997, at 5:30 o'clock

DATE, TIME & PLACE
P.M., in the Common Council Conference Room 128, 1st Floor, One Main
Street, City-County Building, Fort Wayne, IN

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1)
YEAR AFTER CONFIRMATION.

ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD
AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN
DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND
FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION"
SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219)427-1120, TTY
(219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE
MEETING.

SANDRA E. KENNEDY
CITY CLERK

FW COMMON COUNCIL

(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

41 lines, 1 columns wide equals 41 equivalent lines
at .364 cents per line

\$ 14.92

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 15.92

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: DEC 1, 19 97

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned **JULIE L SMITH** who, being duly sworn, says that he/she is **Clerk** of the **The Journal-Gazette** newspaper of general circulation printed and published in the English language in the (city) (town) of **Fort Wayne, IN** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **1** time, the dates of publication being as follows:

12-1-97

Subscribed and sworn to before me this **1st** day of **DEC**, 19 **97**.

Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14.2001

My commission expires:

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-11-08 AND R-97-11-09)
NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA APPROVED A RESOLUTION ON 11-25-97, DESIGNATING PROPERTY AT 1029 West State Boulevard, Fort Wayne, Indiana (Dana Corporation)

An Economic Revitalization Area. A description of the affected area can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday, December 9, 1997, at 5:30 o'clock P.M. at the Common Council Conference Room 128, City-County Building, One Main Street, 1st Floor, Fort Wayne, IN

If confirmed, said designating shall continue for one (1) year after confirmation.

All interest persons are invited to attend and be heard at the public hearing.

"Reasonable Accommodations" for persons with a known disabling condition will be considered in accordance with state and federal law. Any person needing a "Reasonable Accommodation" should notify Public Information Office (219) 427-1120, TTY (219) 427-1200, At least seventy-two (72) hours prior to the meeting.

Sandra E. Kennedy
City Clerk
#653032

FW COMMON COUNCIL

(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

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COMMON COUNCIL

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1-25

Sandra E. Kennedy
City Clerk
#653032

e of Indiana)

) ss:

n County)

onally appeared before me, a notary public in and for said county and state, the
ersigned JULIE L SMITH who, being duly sworn, says that he/
is Clerk of the The News-Sentinel newspaper of general
ulation printed and published in the English language in the (city) (town) of
Fort Wayne, IN in state and county aforesaid, and that the printed matter
ched hereto is a true copy, which was duly published in said paper for
1 time 12-1-97, the dates of publication being as follows:

12-1-97

scribed and sworn to before me this 1st day of DEC, 19 97.

Notary Public

MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

commission expires:

MY COMMISSION EXP JUNE 14, 2001